THE CORPORATION

OF THE

TOWNSHIP OF WILMOT

BY-LAW NO. 83-38

A Restricted Area By-law for the Corporation of the Township of Wilmot

The Council of the Corporation of the Township of Wilmot enacts as follows:

SECTION 1: SHORT TITLE

This By-law may be cited as the Zoning By-law.

SECTION 2: DEFINITIONS

The following definitions shall apply to terms used in this By-law.

In this By-law, unless the context requires otherwise:

2.1 **"Accessory"** when used to describe a use, building or structure means a use, building or structure that is clearly secondary and devoted to the permitted use, building or structure located on the lot.

2.2 **"Additional Dwelling Unit (Attached)"** see "Dwelling Unit (Attached), Additional"

2.3 **"Additional Dwelling Unit (Detached)"** see "Dwelling Unit (Detached), Additional"

2.4 **"Adult Entertainment Parlour"** means any premises or part thereof, used in pursuance of any trade, calling, business or occupation, for the purpose of a live performance, exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, of which a principal feature or characteristic is the nudity or partial nudity of any person, and in respect of which the word "nude", "naked", "topless", "bottomless", "erotic", or "sexy", or any other word, picture, symbol or representation having like meaning or implication may be used on any sign, advertisement, or advertisement device, and without limiting the generality of the foregoing includes any performance, exhibition, or activity involving striptease dancers, exotic dancers, wet clothing contests, or best body part contests.

2.5 **"Amenity Area"** means that area of the lot not occupied by buildings, parking and driveway areas and may include patios and landscaped areas on the site, swimming pools and other areas which can be used for recreational purposes.

2.6 "**Apartment Building"** – see "Residential Building – Apartment".

2.7 **"Attic"** Means the uninhabitable portion of a building or structure that is immediately below the roof and wholly or partially within the roof framing, having an interior height of 1.8 metres or less. A habitable or finished attic, or an uninhabitable or unfinished attic with an interior height greater than 1.8 metres, is considered to be a storey.

2.8 **"Automobile Service Station"** means a building or place where automotive fuel is kept for sale and where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed and where minor parts or products required for such repairs may be stored or kept for sale. This definition shall not be deemed to include a body shop, the sale of motor vehicles, or a wrecking establishment. The washing of vehicles may be conducted within a service station building as a use accessory to the main use.

2.9 **"Basement"** means one or more storeys of a building located below the first storey.

No part of the basement floor area shall be used in calculating any minimum floor area as required by this By-law, except as specifically permitted under the definition of "Floor Area".

2.10 **"Bed and Breakfast"** means a home occupation that provides sleeping quarters (in a maximum of 2 bedrooms) and meals to the travelling public, but does not include a hotel, motel, group home or lodging house.

2.11 **"Boarding House"** see "Lodging, Rooming or Boarding House".

2.12 **"Body Shop"** means a building or portion of a building used for the repair or painting of motor vehicle bodies or frames.

2.13 **"Building"** means any structure having a building floor area greater than 10 square metres consisting of a wall, roof and floor or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems, appurtenant thereto.

2.13.1 "Building – One Storey" means a building which has nothing more than attic and roof area above the first storey.

2.13.2 "Building – Two Storey" means a building which has a second storey above all or part of the first storey.

2.13.3 "Building – Three Storey" means a building which has a second and third storey above all or part of the first storey.

2.13.4 "Building – Four Storey" means a building which has a second, third and fourth storey above all or part of the first storey.

2.14 **"Building By-law"** means the Building By-law of the Township as amended from time to time.

2.15 **"Building Floor Area"** – see "Floor Area".

2.16 **"Building Height"** means the vertical distance of the front or rear wall, whichever is greater measured between the finished grade of the yard abutting the wall and the highest point of the said wall. The highest point shall be determined as follows:

2.16.1 In the case of a flat roof, the highest point of the roof surface.

2.16.2 In the case of a mansard roof, the deck roof line.

2.16.3 In the case of a gable, cottage or gambrel roof, the average height between the eaves and the ridges.

Chimneys, towers, spires, cupolas, grain elevators or other similar structures shall be disregarded in calculating the height of a building.

Finished grade shall be the average of grades along the wall used to determine building height.

2.17 **"Building – Non-Residential"** means a building designed, intended or used for purposes other than those of a dwelling unit or units.

2.18 **"Car Wash"** means a building, structure or facility designed, intended or used exclusively for the washing of motor vehicles but shall not include a facility contained within a permitted automobile service station building so long as such facility is accessory to the primary automobile service station use. An automatic car wash is considered a drive-through facility and shall include a stacking lane.

2.19 **"Chickens, Backyard"** means the keeping of a maximum of four (4) hens as a use accessory to a Residential Building – Single Detached, Semi-Detached or Townhouse. The keeping of Backyard Chickens is required to be licensed by the Township of Wilmot.

2.20 **"Children's Residence"** means a premises licensed under the Child, Youth and Family Services Act, 2017 but does not include a Group Home A or B.

2.21 **"Clinic"** means a building within which one or more practitioners carry on a medical or related practice for the treatment of humans, but does not include a Rehabilitation Treatment and Recovery Facility.

2.22 **"Club"** means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for co-operation or conviviality but not for business or profit. Club shall also mean, where the context requires, a premises owned or occupied by the members of such association within which the activities of the club are conducted.

2.23 **"Community Centre"** means a building or structure owned and operated by the municipality that provides social, recreational and other facilities for the general public.

2.24 **"Conforming"** when used to describe a use, building or structure means a use, building or structure which falls within the uses permitted in and conforms to all the requirements set out in this By-law for the zone in which such use, building or structure is located.

2.25 **"Construct"** means to do anything in the erection, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and "Construction" has a corresponding meaning.

2.26 **"Corner Visibility Triangle"** means a triangular area formed within a corner lot by the intersecting street lines or the projections thereof, and a straight line connecting them from their point of intersection.

2.27 **"Day Care Facility"** means the use of a premises licensed under Provincial legislation to operate a facility for the for the purpose of providing temporary care for children for a continuous period of time not exceeding twenty-four hours.

2.28 **"Dog Kennel"** means a building or buildings and/or area of land that is provided for the purpose of breeding, raising, keeping or boarding of dogs for a monetary consideration. A Dog Kennel is required to be licensed by the Township of Wilmot.

2.29 **"Drive Aisle"** means an internal vehicle route immediately adjacent to off-street parking and/or loading spaces, which provides direct vehicular access to and from off-street parking and/or loading spaces, but shall not include a driveway.

2.30 **"Drive-Through Facility"** means the use of a premises including stacking lanes and an order station with or without voice communication, where products or services are provided through a service window or an automated machine to patrons remaining in their motor vehicle.

2.31 **"Driveway"** means that portion of a lot used for the passage of a motor vehicle from a street or lane to an off-street parking or loading space.

2.32 **"Driveway Visibility Triangle"** means a triangular area formed within a lot by the intersection of an edge of a driveway and a lot line, or the projections thereof, and a straight line connecting them from their point of intersection.

2.33 **"Dry Industry"** means any permitted industrial use provided that the applicant for a building permit and/or occupancy permit can provide the municipality with written confirmation indicating that the site and on-site sewage treatment facility proposed can adequately accommodate the effluent which the proposed use will generate in a manner satisfactory to the Township.

2.34 **"Duplex"** – see "Residential Building – Duplex".

2.35 **"Dwelling"** – see "Residential Building".

2.36 **"Dwelling – Principal"** means a dwelling unit which is the permanent residence of the owner or occupant thereof, and the address of which is the normal permanent address of the said owner or occupant for governmental records such as a driver's licence.

2.37 **"Dwelling – Seasonal"** means a Residential Building containing one only dwelling unit used as a secondary place of residence, for seasonal vacations and recreational purposes and not as the principal dwelling of the owner or occupant thereof.

2.38 **"Dwelling Unit"** means a room or group of rooms occupied or designed to be occupied for human habitation, which provides cooking, sleeping and sanitation facilities for one or more persons living as an independent and separate housekeeping establishment and which may include those accessory uses specifically permitted by this By-law.

2.39 **"Dwelling Unit (Attached), Additional"** means the use of a Residential Building - Single Detached, Semi-Detached or Townhouse where a separate self-contained dwelling unit is located within the main building.

2.40 **"Dwelling Unit (Detached), Additional"** means the use of a building where a separate self-contained dwelling unit is located in an accessory building on the same lot as an associated Residential Building - Single Detached, Semi-Detached or Townhouse.

2.41 **"Emergency Shelter"** – means a facility which provides temporary accommodation and services on a short-term basis.

2.42 **"Erect"** – see "Construct".

2.43 **"Existing"** means existing legally on the day of the passing of this By-law.

2.44 **"Farm"** means a parcel of land on which the predominant activity is farming.

2.45 **"Farmer"** means an individual, family, association or corporation engaged in farming.

2.46 **"Farming"** means the production of plants and animals useful to humans including the breeding, raising or maintaining of livestock, fur farming, fruit growing, the keeping of bees, fish farming, greenhouse farming, vegetable growing, Christmas tree growing. Farming shall not include a dog kennel, garden centre, or sod farming.

2.47 **"Farm-Related Occupation"** means a trade, occupation or service which is oriented primarily toward the needs of the agricultural community and which is located on a parcel of land having an area of not less than 35 hectares as a use clearly secondary to the main use of farming.

2.48 **"Financial Establishment"** means the use of a building which provides financial services in which money is deposited, kept, lent, or exchanged, and can include a bank, trust company, credit union, or other similar banking service.

2.49 **"Floor Area"** means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions but not including exits and vertical service spaces that pierce the storey. No private garage, breezeway, porch, veranda or sunroom balcony, space requirements for heating and laundry facilities, mechanical equipment or attic area may be used to calculate minimum floor areas as required in this By-law.

2.50 **"Floor Area – Ground"** means that area of a lot covered or intended to be covered by a building exclusive of uncovered porches, accessory buildings, terraces, steps, indoor parking areas and normal building projections.

2.51 **"Frontage"** – see "Lot Frontage".

2.52 **"Garage – Private"** means an accessory building, a portion of a main building, or a carport used for the storage of a motor vehicle or vehicles of the owner, tenant or tenants, occupant or occupants of the lot upon which such garage is located and wherein neither servicing nor repairing is carried on for a monetary consideration.

2.53 **"Garage – Public"** means a building or place where motor vehicles are kept for hire, stored for remuneration, or repaired. This definition shall not include an automobile service station, a car wash establishment, a car sales lot, a body shop or wrecking yard.

2.54 **"Garden Centre"** means the use of lands, buildings or structures for the purpose of buying, selling and raising of all plants, shrubs and trees and includes the storage and sale of accessory products generally used for landscaping and gardening purpose including fertilizers, gardening equipment, furnishings and other similar products not raised or grown on the premises.

2.55 **"Garden Suite"** see "Mobile Home"

2.56 **"Gas Bar"** means a building or place where automotive fuel is kept for sale but where no other service of an "Automobile Service Station" is provided.

2.57 **"Golf Course"** means a parcel of land which is open to the public upon payment of a fee or other admission charge, and which is used for the playing of the game of golf but shall not include miniature golf courses or golf driving ranges. Golf course may include such accessory uses as a clubhouse and other associated recreation uses normally and naturally accessory to a golf course.

2.58 **"Grade"** means the elevation of the finished ground or land immediately surrounding a building or structure.

2.59 **"Grand River Conservation Authority Regulated Area"** means lands regulated by the Grand River Conservation Authority pursuant to Ontario Regulation 150/06 and any successor regulation and includes floodplains, watercourses, steep slopes, wetlands and any allowances.

2.60 **"Gravel Pit"** – see "Pit".

2.61 **"Greenhouse Farming"** means the use of any building or structure in an agricultural zone for the production of fruits, vegetables, flowers, and plants within a controlled temperature and/or humidity, but not including a garden centre or retail sales of products not raised or grown on the premises.

2.62 **"Group Home"** means a Residential Building – Single Detached in which three to six residents (excluding staff or the receiving family) lives as a single housekeeping unit under responsible supervision consistent with the requirements of its residents. The home is licensed or funded under a Federal or Provincial statute and is in compliance with municipal by-laws.

2.62.1 **"Group Home A"** means a group home, but does not include a Group Home B.

2.62.2 **"Group Home B"** means a group home that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution.

2.63 **"Habitable Room"** means any room used or intended for human habitation except a bathroom, hallway, stairwell, laundry or storage room.

2.64 **"Home Occupation"** means an occupation for gain or support within a dwelling unit or a permitted accessory building as a secondary use and conducted only by those residing on the premises. For clarity, a home occupation may include, but is not limited to, an office, hairdresser or barber, personal training, massage therapist or similar uses.

2.65 **"Hospice"** means a premises where terminally ill patients receive palliative care treatment in a homelike setting.

2.66 **"Hotel or Motel"** means a building or group of buildings used for the purpose of catering to the needs of the public by providing accommodation for transient lodgers, with or without meals.

2.67 **"Household Pet"** means any animal which could normally be purchased in a pet store, which would normally spend all or part of its life within a dwelling unit, which is owned by a resident of the dwelling unit and which is not kept for profit or gain, but not including livestock.

2.68 **"Lane"** means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

2.69 **"Livestock"** means chickens, turkeys, cattle, swine, horses, mink, rabbits, sheep, goats, or any other domestic animal used for consumption, but does not include "Backyard Chickens".

2.70 **"Lodging, Rooming or Boarding House"** means a Residential Building within which sleeping quarters are regularly let for a consideration to more than four persons and where kitchen and other facilities are shared amongst the persons occupying the Residential Building, but shall not include hotel, motel, rest home, hospital, group home, or similar use.

2.71 **"Long Term Care Facility"** means a premises regulated by the Ontario Long Term Care Homes Act, 2007, that provides residential accommodations and a broad range of personal care, support and health services to meet the physical, psychological, social, spiritual and cultural needs of persons.

2.72 **"Lot"** means a parcel of land the whole of which may be legally conveyed. See "Recognized Lot".

2.73 **"Lot Area"** means the total horizontal area of a lot contained within the boundaries of the lot.

2.74 **"Lot – Corner"** means a lot situated at the intersection of and abutting upon two streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, an angle of not more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the building lot shall be deemed to be the point on the street line nearest to the point of intersection of the said tangents.

2.75 **"Lot Coverage"** means the area of the lot covered or to be covered by buildings or structures.

2.76 **"Lot Depth"** means the average distance between the front and rear lot lines, or in the case of a triangular lot, from the front line to the apex of the side lot lines.

2.77 **"Lot Frontage"** means the distance, measured along the street line, between the points where the street line is intersected by the side lot lines.

2.78 **"Lot Interior"** means a lot other than a corner lot.

2.79 **"Lot Line"** means any line intended to define the boundary of the lot.

2.79.1 "Front Lot Line" means the line abutting a street. In the case of a corner lot, the shorter lot line abutting the street shall be deemed to be the front lot line. Where such lot lines are of equal length, the Township may deem any of the lot lines abutting a street as the front lot line. In the case of a through lot, only one of the lot lines abutting the street shall be deemed to be the front lot line.

2.79.2 "Rear Lot Line" means the lot line farthest from and opposite to the front lot line.

2.79.3 "Side Lot Line" means a lot line other than a front, rear or exterior side lot line.

2.79.4 "Exterior Side Lot Line" means a lot line abutting a street other than a front or rear lot line.

2.80 **"Lot – Through"** means a lot bounded on two opposite sides by streets, but not a corner lot.

2.81 **"Lot Width**" means the distance, measured in a straight line, between the points where the side lot lines are intersected by the front yard setback.

2.82 **"Main Building"** means the building or buildings used, designated and/or intended to accommodate the principal use(s) permitted by this By-law**.**

2.83 **"Mobile Home"** means a Residential Building that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, including a modular or manufactured home, but not including a Recreational Trailer or Vehicle.

2.84 **"Mobile Home Site"** means a parcel of land within a Mobile Home Subdivision having an area of lot less than 372 square metres and having a width of not less than 12 metres at the point where the closest part of the Mobile Home is situated in respect to the public road or highway or approved private road which gives access to the Mobile Home and to which approved water supply and approved sewage disposal system are available and is intended for the location of one mobile, modular or manufactured home for the exclusive use of the occupants.

2.85 **"Mobile Home Subdivision**" means a development zoned, designed and intended to accommodate mobile, modular or manufactured homes and may include uses accessory thereto including commercial, social and recreational facilities and such buildings, structures and facilities required to provide an approved water supply and approved sewage disposal system all designed and intended for the exclusive use of the residents of the Mobile Home Subdivision.

2.86 **"Motor Vehicle"** means an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric, steam or diesel railways or other motor vehicles running only upon rails, traction engine, farm tractor, self-propelled implement of husbandry or road building machine.

2.87 **"Municipal Drain"** means drainage works as defined by the Drainage Act, R.S.O. 1990.

2.88 **"Non-Complying"** means a use, building or structure which does not conform, comply or agree with the Regulations for the zone within which such use, building or structure is located, but which does conform, comply and agree with the Permitted Uses for the zone within which it is located.

2.89 **"Non-Conforming"** means a use, building or structure which does not conform, comply or agree with the Permitted Uses for the zone within which such use, building or structure is located.

2.90 **"Non-Residential"** – see "Building – Non-Residential".

2.91 **"Off-Street Loading Space"** means a space on a lot on which a truck may be parked for standing, loading or unloading services. Such space shall have adequate means of ingress and egress to and from a public street or lane, shall be located to the rear of the front yard setback as established by this By-law and shall be arranged so as to avoid undue interference with public use of streets or lanes.

2.92 **"Off-Street Parking Space"** means a space on which a motor vehicle may be parked and which has access by way of a drive aisle or driveway to a street or lane.

2.92.1 **"Off-Street Parking Space, Barrier-Free Accessible"** means a parking space provided for the use of persons with disabilities pursuant to the Accessibility for Ontarians with Disabilities Act, 2005.

2.93 **"Parking Lot – Commercial"** means a lot, building or structure, on or in which motor vehicles are parked for compensation and which is not accessory to another use or other uses on the same lot.

2.94 **"Person"** means any association, partnership, corporation, Municipal Corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context may apply according to law.

2.95 **"Pit"** means a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside pit.

2.96 **"Place of Worship"** means the use of a building by any religious organization and involving the regular gathering of people for faith based ceremonies and teaching.

2.97 **"Private Home Day Care"** means the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a maximum of one dwelling unit per lot, for a continuous period not exceeding twenty-four hours and where the caregiver resides in the dwelling unit in which the private home day care is located.

2.98 **"Province"** means the Province of Ontario or one or more of its ministries or other agencies that exercise delegated authority on behalf of one or more ministries.

2.99 **"Public Street or Public Road"** – see "Street or Road".

2.100 **"Quarry"** means a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial, or manufacturing purposes, but does not include a wayside quarry or open pit metal mine.

2.101 **"Recognized Lot"** means a parcel or tract of land:

2.101.1 which is the whole of a lot on a plan of subdivision which has been registered pursuant to the provisions of The Planning Act and which has not been deemed not to be a Registered Plan of Subdivision under the provisions of The Planning Act; or

2.101.2 which comprises all the land described in a conveyance by way of deed, transfer, mortgage, charge or agreement of sale and purchase to which consent has been given under the provisions of The Planning Act as from time to time amended; or

2.101.3 which might be legally conveyed by way of deed, transfer, mortgage, charge or agreement of sale and purchase without consent under the provisions of The Planning Act as from time to time amended, and which contains a lot area of not less than 1,390 square metres and a lot width of not less than 30 metres, provided however that no parcel or tract of land ceased to be a Recognized Lot by reason only of the fact that a part of parts of it has or have been conveyed to or acquired by the Township, the Region, Her Majesty in the Right of Ontario or Her Majesty in the Right of Canada.

2.102 **"Recreational Trailer or Vehicle"** means any motor vehicle, or trailer constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle, capable of being used for the temporary living, sleeping or eating accommodation of persons, notwithstanding that such vehicle may be jacked up or that it running gear may be removed, but not including a mobile home.

2.103 **"Refreshment Cart"** means any vehicle, other than a motorized vehicle, from which refreshments are sold for consumption by the public which has a valid annual license to operate as a refreshment cart issued by the Township***.***

2.104 **"Refreshment Vehicle"** means any vehicle which is propelled or driven by any kind of power, excluding muscular power, from which refreshments are sold for consumption by the public which has a valid annual license to operate as a refreshment vehicle issued by the Township.

2.105 **"Region"** means the Corporation of the Regional Municipality of Waterloo.

2.106 **"Rehabilitation Treatment Centre and Recovery Facility**" means a facility that offers in-patient and/or out-patient care as well as treatment, rehabilitation and/or addiction recovery services and includes as a component, living accommodations.

2.107 **"Residential Building"** means a separate building designed, intended or used to contain a dwelling unit or units.

2.107.1 **"Residential Building – Single Detached**" means a Residential Building containing only one dwelling unit and which is the principal dwelling of the owner or occupant thereof.

2.107.2 **"Residential Building – Duplex**" means a Residential Building divided horizontally to contain two dwelling units."

2.107.3 **"Residential Building – Semi-Detached**" means a separate building divided vertically into two dwelling units by a solid common wall extending from the base of the foundation to the roof line and said common wall shall have a horizontal distance of not less than fifty percent (50%) of the horizontal depth of the building.

2.107.4 **"Residential Building - Triplex**" means a Residential Building divided so as to contain three dwelling units, each of which has a separate entrance and where one unit or more is located above another unit.

2.107.5 **"Residential Building – Apartment**" means a Residential Building divided horizontally and vertically to contain more than four dwelling units.

2.107.6 **"Residential Building – Fourplex"** means a Residential Building divided horizontally or divided both horizontally and vertically into four (4) dwelling units, each of which has an independent entrance to the outside or through a common vestibule or a combination of both, but does not include a Residential Building – Semi-Detached with accessory Additional Dwelling Units (Attached).

2.107.7 **"Residential Building – Townhouse**" means a Residential Building divided vertically into three (3) or more dwelling units by common walls which prevents internal access between dwelling units and includes the following:

a) "Residential Building – Back-to-Back Townhouse" means a Residential Building – Townhouse with a common rear wall.

b) "Residential Building – Cluster Townhouse" means a Residential Building – Townhouse, but is not a Residential Building – Back-to-Back Townhouse or Residential Building – Street Townhouse.

c) "Residential Building – Street Townhouse" means a Residential Building – Townhouse where each unit is designed to be on a separate lot, but is not a Residential Building – Cluster Townhouse.

2.108 **"Restaurant"** means a business establishment, the primary function of which is to prepare and serve food and/or drink for consumption on or off-site.

2.109 **"Retail"** means the selling of articles to the general public for its use.

2.110 **"Retirement Residential Facility"** – means a premises regulated by the Retirement Homes Act, 2010, providing accommodation and services in a semi-independent living environment, support and health services may be provided which may include accessory personal service, retail and recreational uses for the residents, but does not include a long term care facility or hospital.

2.111 **"Riding Academy or Stable"** means a stable for the housing of horses for hire or boarding or for a private riding club which may include a building where equestrian skills are practised.

2.112 **"Road"** – see "Street or Road".

2.113 **"Rooming House"** – see "Lodging, Rooming or Boarding House".

2.114 **"Sand or Gravel Pit"** – see "Pit".

2.115 **"School"** means a public, private, or separate elementary school, secondary school or post-secondary institution regulated by the Province.

2.116 **"Semi-Detached"** – see "Residential Building – Semi-Detached".

2.117 **"Service Station – Automobile"** – see "Automobile Service Station".

2.118 **"Stacking Lane"** means a continuous on-site queuing lane that includes stacking spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs, and from which an off-street parking space may not be directly accessed.

2.119 **"Stacking Space"** means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of a motor vehicle in a stacking lane.

2.120 **"Storey"** means that portion of a building that is situated between the top of any floor and the top of the floor next above it and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but not including an attic.

2.121 **"Storey – First"** means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

2.122 **"Street Line"** means the lot line abutting a street or road.

2.123 **"Street or Road"** means a public thoroughfare other than a lane, which is maintained by a public road authority and which is open and passable during all seasons of the year.

2.124 **"Structure"** means anything constructed or built, either permanent or temporary, and which is fixed to or resting on or below the ground.

2.125 **"Township"** means The Corporation of the Township of Wilmot.

2.126 **"Triplex"** – see "Residential Building – Triplex".

2.127 **"Use"** means the purpose for which a lot, building or structure or any combination thereof is designed, arranged, intended, occupied or maintained and "Used" shall have a corresponding meaning.

2.128 **"Vehicle"** means a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include the cars of electric, steam or diesel railways, running upon rails. (see also "Motor Vehicle")

2.129 **"Veterinary Clinic"** means a building or part thereof wherein animals of all kinds are treated or kept for treatment by a registered veterinarian, and where such animals can be temporarily boarded. For additional clarity, a veterinary clinic located in Zone 5, Zone 6, Zone 7 or Zone 10 shall not include a kennel, pound, or outdoor dog run/walk areas. An outdoor dog run/walk area means an area located outside of the main building used for the unsupervised or unleashed keeping or exercising of dogs.

2.130 **"Video/Pinball Game Amusement Centre"** means an establishment where three (3) or more video or pinball game machines are available for use. Up to two (2) video or pinball game machines are deemed to be permitted as an accessory use to any establishment in any Zones 5, 6, 7, 8 or 9 or to a 'Commercial Recreation' use in any zone permitting said use.

2.131 **"Wayside Pit" or "Wayside Quarry"** means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract or road construction and not located on the road right-of-way.

2.132 **"Wholesale"** means the selling of articles to persons in the trade.

2.133 **"Yard"** means a space open from the ground to the sky on the same lot with a building, unoccupied except for such accessory buildings as are specifically permitted in this By-law.

2.133.1 "**Yard – Front**" means a yard extending from side lot line to side lot line and from and parallel to the street line, to the nearest part of the main building or structure on the lot, disregarding open terraces or steps. The closest point at which a building or structure may be located is defined in the zoning category under the heading "Minimum Front Yard Setback".

2.133.2 **"Yard – Rear**" means a yard extending across the full width of the lot from side lot line to side lot line and extending from the rear lot line (or, in the case of a triangular lot, between the apex of the triangle formed by the intersection of the side lot lines) to the rear wall of the main building located on the lot. The depth of the rear yard, measured horizontally from the rear lot line (or, in the case of a triangular lot, from the apex of the triangle formed by the intersection of the side lot lines) to the closest point at which a main building may be located is defined in the zoning category under the heading "Minimum Rear Yard Setback".